

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	CRIMINAL CASE NO. 06-00103-CG
)	
OLLIE JAMES FRYE,)	
)	
Defendant.)	

ORDER

This matter is before the court on the defendant's motion to continue the trial of this matter currently scheduled for the December 2007 trial term, due to unavailability of defendant and the need for additional time for trial preparation. The defendant further represents that the government does not object to the motion.

Upon due consideration, the court finds that pursuant to 18 U.S.C. §§ 3161(h)(3)(A) and (h)(8)(A), the ends of justice outweigh the best interest of the defendant and the public in a speedy trial. Therefore, the trial of this matter is hereby **CONTINUED** to the January 2008 term with jury selection to be held on January 2, 2008.

The clerk is directed to refer this matter to the magistrate judge to reschedule a pretrial conference for December 2007.

The United States Attorney is **ORDERED** to file a petition for writ of habeas corpus to have the defendant present for a status conference on Friday, November 30, 2007, at 9:00 a.m. in Courtroom 2B, United States Courthouse, Mobile, Alabama .

DONE and ORDERED this the 29th day of October, 2007.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE